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OFFICIAL

PATENT

Practitioner's Docket No. WHB-31572

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lehmkuhl, Wade E.
Serial No. : 09/683,714
Filing Date : February 6, 2002
For : Label Printer-Cutter with Mutually Exclusive Printing and Cutting Operations
Confirmation No. : 8640
Group Art Unit : 2853

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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37 CFR 1.8(a)

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Date: December 22, 2003

Alan Hong

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT

INTRODUCTORY COMMENTS

This amendment is made in response to an Office Action mailed October 8, 2003. Please enter the amendment for the above-identified application.

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USSN: 09/683,714

LEHMKUHL, Wade E.

Claims 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. in view of Nehowig (U.S. 5,318,370 A).

Independent Claim 30 has been amended and is believed to be allowable. Claim 39 and 40 are dependent from, directly or indirectly and therefore include all the recitations of, independent Claim 30, which has been amended as noted above. Therefore, Claims 39 and 40 are believed to be allowable at least based on the patentability of Claim 30.

Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. in view of Awai et al. (U.S. 5,451,996 A).

Independent Claim 30 has been amended and is believed to be allowable. Claims 41 and 42 are dependent from, directly or indirectly and therefore include all the recitations of, independent Claim 30, which has been amended as noted above. Therefore, Claims 41 and 42 are believed to be allowable at least based on the patentability of Claim 30.

Conclusion

In view of the above, Applicant respectfully requests that the rejections to Claims 1, 4, 5, 8, 9, 15, 16, 25, 30, 36, 37, 39-40 and 41-42 be withdrawn, and subsequently allowed.

No fee or petition is believed due. In the event that a fee or petition is due, authorization is given here to charge Deposit Account No. 23-2053 in the appropriate amount for such fee or petition.

The Examiner is invited to call the Applicant's attorney in the event that such communication would facilitate allowance of the application.

Respectfully submitted,



Alexander R. Kuszewski, Esq.
Reg. No. 41,920

Date: December 22, 2003

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